

## **REMARKS**

The Final Office Action mailed September 3, 2008 has been received and carefully noted. Claims 1-6, 8-13, 15-20, 23-30, and 32 are currently pending in the subject application and are presently under consideration.

Claims 1, 2, 8, 9, 15, 16, 23-26, and 32 have been amended and claims 7, 14, 21, and 31 have been canceled herein (and their contents transferred to the independent claims). A listing of claims can be found on pages 2-9 of this Response.

Favorable reconsideration of the pending claims is respectfully requested in view of the amendments and following comments.

### **I. Claim Rejections Under 35 U.S.C. § 103(a)**

Claims 1-21 and 23-32 are rejected under 35 U.S.C. § 103(a) as being obvious over Sano *et al.* (U.S. 2003/0068089 A1) (Sano) and Igarashi *et al.* (U.S. 6,484,195 B1) (Igarashi). The Applicant respectfully requests that these rejections be withdrawn for at least the following reason. Sano and Igarashi, alone or in combination, do not teach or suggest all the claim limitations expressly, impliedly, or obviously.

To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

*Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985). *See* M.P.E.P. § 706.02(j). In particular, amended independent claims 1, 8, 15, 23-25, and 32 recite a similar limitation, namely: “the reproduction condition receiving unit to adjust image quality and a frame rate in the reproduction condition in response to an additional input from the user for adjusting a balance between the image quality and the frame rate.” These aspects were taken from claims 7, 14, 21, and 31 (now canceled). Sano and Igarashi, alone or in combination, fail to teach or suggest these aspects.

The Examiner contends that Sano teaches these aspects at paragraph 0019 (*See e.g.*, Final Office Action, pg. 14). The Applicant respectfully disagrees with this contention. Paragraph

0019 of Sano describes benefits of reducing code amount prior to decompressing the code. These benefits were highlighted by the Examiner on page 14 of the Final Office Action and include: “reduc[ing] the time required for the decompression processing ... reduc[ing] the load to be borne by the communications facilities and ... reduc[ing] the traffic in the communications network” (See Sano, paragraph 0019). However, a listing of benefits obtained by reducing code amount does not teach or suggest that a balance setting between the image quality and the frame rate may be adjusted, much less that a user inputs such adjustment and further, that image quality and a frame rate is then adjusted by a unit in response to this balance setting. Therefore, Sano does not teach or suggest all the limitations of the claims, including “the reproduction condition receiving unit to adjust image quality and a frame rate in the reproduction condition in response to an additional input from the user for adjusting a balance between the image quality and the frame rate.”

In addition, amended independent claim 1 recites “a reconfiguration unit to reconfigure the compressed data stored in the memory, without decompressing the compressed data, based on the reconfiguration method, the reconfigured compressed data stream including fewer frames than a not-yet-reconfigured compressed data stream; and a reconfigured compressed data sending unit to send the reconfigured compressed data stream to the reproduction apparatus via the network at a higher frame rate than the not-yet-reconfigured compressed data stream” (emphasis added). Support for these amendments may be found in paragraphs 0073 and 0074 of the Specification. While the Examiner cites Figure 7, element 41 and paragraph 0103 of Sano as relating to reconfiguring the compressed data, Sano does not teach or suggest the claim as currently amended. Paragraph 0103 of Sano depicts element 41 as the “code sequence creation part.” This element “creates a code sequence” (See Sano, paragraphs 0103 and 0104) that is sent to the image decompression device (element 20 of Figure 7). However, Sano is silent regarding a compressed data stream having fewer frames when reconfigured than when not reconfigured. Sano is also silent with respect to sending a reconfigured compressed data stream at a higher frame rate than a not reconfigured compressed data stream. Thus, Sano fails to teach or suggest these aspects of amended independent claim 1.

The Examiner does not indicate and the Applicant does not discern any part of Igarashi that cures the aforementioned deficiencies of Sano regarding the amended independent claims. Each of the dependent claims depend from one of independent claims 1, 8, 15, 23-25, and 32,

thus incorporating the respective limitations thereof. For at least the above reasons relating to the independent claims, Sano and Igarashi, alone or in combination, do not teach or suggest all the claim limitations of the dependent claims. Accordingly, it is respectfully requested that these rejections be withdrawn.

## CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (408) 720-8300.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Dated: 12/2, 2008

2  
Michael J. Mallie

Reg. No. 36,591

1279 Oakmead Parkway  
Sunnyvale, California 94085-4040  
(408) 720-8300

### CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this paper is being transmitted online via EFS Web to the Patent and Trademark Office, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, on December 2, 2008.

Angela Quinn

12-2, 2008